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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MARLO CUSTODIO, et al.,)	Case No. C09-00527 RMW PSG
)	
Plaintiffs,)	STIPULATION AND [] ORDER
)	PURSUANT TO LOCAL RULE 6-2
v.)	SHORTENING TIME ON GROSS BELSKY
)	ALONSO LLP'S MOTION TO WITHDRAW
THE COUNTY OF SANTA CLARA,)	AS COUNSEL FOR PLAINTIFFS
CALIFORNIA, et al.,)	
)	
Defendants.)	
)	
)	

WHEREAS Gross Belsky Alonso LLP ("GBA") has moved to withdraw as counsel for plaintiffs Marlo Custodio, Romel Custodio, Marilou Custodio and Oscar Custodio, Jr. (collectively, "Plaintiffs") pursuant to Local Rule 11-5(a);

WHEREAS the parties seek to shorten time on GBA's withdrawal motion because the schedules of GBA attorneys would prevent them from attending a hearing on this motion later in May and the parties seek to resolve GBA's withdrawal speedily;

WHEREAS GBA has notified Plaintiffs in writing of GBA's intended withdrawal;

WHEREAS the only previous time modifications in this case are the Court's enlargement of the times set in the February 5, 2009 Order Setting Initial Case Management Conference and ADR Deadlines for the parties to meet and confer regarding initial disclosures, early settlement, ADR process selection, and discovery plan; to file ADR certification; and to file either Stipulation to ADR

process or Notice of Need for ADR Phone Conference (D.E. 9); the Court's two extensions of the parties' deadline for Early Neutral Evaluation (D.E. 36 and 41); and the Court's stay of trial on the claims against the City of San Jose and the San Jose Police Officer Defendants until the completion of Romel and Marlo Custodio's criminal appeals (D.E. 38);

WHEREAS Defendants City of San Jose, Chief Robert Davis, Sergeant Evans, Officer Epp, Officer Morasci, Officer Tran, Officer Unger, Officer DeMarie, Officer Jeffrey, Officer Crawley, Officer Purnell, Officer Cahill, and Officer Barry (collectively, "Defendants") do not oppose GBA's withdrawal motion and the proposed shortening of time would therefore have no effect on the briefing schedule for GBA's withdrawal motion; and

WHEREAS shortening the time for a hearing on GBA's withdrawal motion causes no prejudice to GBA, Plaintiffs, or Defendants;

IT IS HEREBY STIPULATED AND AGREED by GBA and Defendants that the time on GBA's withdrawal motion shall be shortened such that the hearing date for the motion shall be Friday, May 6, 2011, at 9:00 a.m., or as soon thereafter as the motion may be heard.

Dated: April 13, 2011

GROSS BELSKY ALONSO LLP

By: /s/ Monique Alonso
Monique Alonso

Attorneys for Plaintiffs

Office of the City Attorney, City of San Jose

By: /s/ Michael J. Dodson
Michael J. Dodson

Attorney for Defendants

SIGNATURE ATTESTATION

I hereby attest that I have on file all holograph signatures for any signatures indicated by a
“conformed” signature (/s/) within this efiled document.

Dated: April 13, 2011

/s/ Monique Alonso

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1 IT IS SO ORDERED.

2
3 Dated: April 15 2011



Judge Ronald M. Whyte